

JEREMY HILL

Name

264825

Prison Number

OKLAHOMA STATE REFORMATORY

GRANITE, OKLAHOMA

Place of Confinement

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA

JEREMY HILL, Petitioner
(Full Name)

vs.

GREG WILLIAMS, Respondent
(Name of Warden, Superintendent, jailor
or authorized person having custody of
petitioner)

and

The Attorney General of the State of Oklahoma,
Additional Respondent.

CASE NO.

(To be supplied by Clerk)

PETITION FOR A WRIT OF
HABEAS CORPUS PURSUANT
TO 28 U.S.C. § 2254 BY A PERSON
IN STATE CUSTODY

NOTE: If a petitioner is attacking a judgment which imposed a sentence to be served in the *future*, petitioner must fill in the name of the state where the judgment of conviction was entered. If the petitioner has a sentence to be served in the *future* which he wishes to attack, he should file a motion under 28 United States C. § 2255, in the federal court which entered the judgment.

1) Name and location of the court which entered the judgment under attack: DISTRICT COURT OF BRYAN COUNTY

2) Date judgment of conviction was entered April 23, 1998

3) Case number CF-1997-494

4) Length and terms of sentence Life without Parole

XB-2 8/82 PETITION FOR A WRIT OF HABEAS CORPUS PURSUANT TO 28
U.S.C. § 2254 BY A PERSON IN STATE CUSTODY

5) Are you presently serving a sentence imposed for a conviction other than the conviction under attack in this motion?

Yes ☐ No ☒

6) Nature of the offense involved (all counts) One count Murder I

7) What was your plea? (*Check one*)

a) Not Guilty ☒ b) Guilty ☐ c) Nolo Contendere ☐

If you entered a guilty plea to one count or indictment, and a not guilty plea to another count or indictment, give details: N/A

8) If you entered a plea of guilty pursuant to a plea bargain, state the terms and conditions of the agreement N/A

9) Kind of trial (*check one*)

a) A jury ☒ b) A Judge without a jury ☐

10) Did you testify at trial (if any)? Yes ☐ No ☒

11) Did you appeal from the judgment of conviction? Yes ☒ No ☐

12) If you did appeal, state the name and location of the court where the appeal was filed, the result, the case number and the date of the court's decision (or attach a copy of the court's opinion or order) Copy of Order is attached

13) If you did not appeal, explain briefly why you did not N/A

A) Did you seek permission to file a late appeal Yes ☐ No ☐

14) Other than a direct appeal from the judgment of conviction and sentence, have you previously filed any petitions, applications or motions with respect to this conviction in any court, state or federal? Yes ☒ No ☐

15) If your answer to 14 was "Yes," give the following information:

a) First petition, application or motion.

1) Name of court District Court of Bryan County

2) Nature of proceeding Application for Post-Conviction Relief

3) Grounds raised Ineffective Assistance of Counsel during the Trial and Appeal

4) Did you receive an evidentiary hearing on your petition, application or

motion? Yes ☐ No ☒

5) Result Request was denied

6) Date of result _____

7) Did you appeal the result to the highest state court having jurisdiction?

Yes ☒ No ☐. If you did appeal, give the name of the court where the appeal was filed, the result, the case number, citation and date of the court's decision (or attach a copy of the court's opinion or order) Order is Attached

8) If you did not appeal, briefly explain why you did not _____

b) As to any second petition, application or motion, give the following information:.

1) Name of court _____

2) Nature of proceeding _____

3) Grounds raised _____

4) Did you receive an evidentiary hearing on your petition, application or

motion? Yes ☐ No ☐

5) Result _____

6) Date of result _____

7) Did you appeal the result to the highest state court having jurisdiction?

Yes ☐ No ☐. If you did appeal, give the name of the court where the appeal was filed, the result, the case number, citation and date of the court's decision (or attach a copy of the court's opinion or order) _____

8) If you did not appeal, briefly explain why you did not _____

16) State *concisely* every ground on which you claim that your are being unlawfully held. Summarize *briefly* the *facts* supporting each ground. If necessary, you may attach up to two extra pages stating additional grounds or supporting facts. You should raise in this petition all available grounds for relief which relate to the conviction under attack.

CAUTION

Before proceeding in a federal court, you are required to exhaust the remedies available to you in the state court as to each ground on which you request action by the federal court.

(A)(1) Ground One: My Constitutional Right to Due Process was Violated by the Proceedings Involved with My Application For Post-Conviction Relief Which Requires the Reversal of the Conviction. The Court of Criminal Appeal's Rejection of the Appeal of the denial of my Application for Post-Conviction is against the weight of federal law and should be disregarded.

(2) Supporting Facts: (Without citing legal authority or argument state briefly the facts which support your claim)

See attached Brief in Support of Petition

(3) Statement of Exhaustion of State Remedies as to Ground One:

Direct Appeal

(a) If you appealed from the judgment of conviction did you raise this issue?

Yes ☐ No ☒

(b) If you did not raise this issue in your direct appeal, explain briefly why you did not This was not an issue for direct appeal

Post-Conviction Proceedings

(c) Did you raise this issue by means of a post-conviction motion or petition for habeas corpus in a state trial court ? Yes ☐ No ☒

(d) If your answer to (c) is "Yes," state the type of motion or petition, the name of and location of the court where the motion or petition was filed, the case number (if known), the result and the date of the court's decision _____

(e) Did you receive an evidentiary hearing on your motion or petition?

Yes ☐ No ☒

(f) Did you appeal from the denial of your motion or petition? Yes ☒ No ☐

(g) If your answer to (f) is "Yes," state whether this issue was raised in the appeal
Yes ☒ No ☐, and state the name and location of the court where the appeal was filed, the case
number and the dated of the court's decision (or attach a copy of the court's opinion or order)____
Copy of the Order is attached.

(h) If your answer to questions (e), (f), or (g) is "No," briefly explain_____

Other Remedies

(i) Describe all other procedures (such as habeas corpus in the state supreme
court, administrative remedies, etc.) you have used to exhaust your state remedies
as to the issue NONE

(B)(1) Ground Two: My Constitutional right to Effective Assistance of Counsel Which
Requires the Reversal of the Conviction. The Court of Criminal Appeal's decision rejecting this
claim is against the weight of federal law and should be disregarded.

(2) Supporting Facts: (Without citing legal authority or argument state briefly the
facts which support your claim)

See attached Brief in Support of Petition

(3) Statement of Exhaustion of State Remedies as to Ground Two:

Direct Appeal

(a) If you appealed from the judgment of conviction did you raise this issue?

Yes ☐ No ☒

(b) If you did not raise this issue in your direct appeal, explain briefly why you
did not I received ineffective assistance of counsel on appeal

Post-Conviction Proceedings

(c) Did you raise this issue by means of a post-conviction motion or petition for
habeas corpus in a state trial court ? Yes ☒ No ☐

(d) If your answer to (c) is "Yes," state the type of motion or petition, the name of
and location of the court where the motion or petition was filed, the case number
(if known), the result and the date of the court's decision Application for Post-

Conviction Relief, filed in the District Court of Bryan County, denied by the Court

(e) Did you receive an evidentiary hearing on your motion or petition?

Yes ☐ No ☒

(f) Did you appeal from the denial of your motion or petition? Yes ☒ No ☐

(g) If your answer to (f) is "Yes," state whether this issue was raised in the appeal Yes ☒ No ☐, and state the name and location of the court where the appeal was filed, the case number and the dated of the court's decision (or attach a copy of the court's opinion or order)____
Copy of the Order is attached. _____

(h) If your answer to questions (e), (f), or (g) is "No," briefly explain _____

Other Remedies

(i) Describe all other procedures (such as habeas corpus in the state supreme court, administrative remedies, etc.) you have used to exhaust your state remedies as to the issue NONE _____

17) Have all grounds for relief raised in this petition been presented to the highest state court having jurisdiction? Yes ☒ No ☐

18) If you answered "No" to question 17, state which grounds have not been so presented and briefly give your reason(s) for not presenting them _____

19) If any of the grounds listed in 16 A, B and C, were not previously presented in any other court, state or federal, state *briefly* what grounds were not so presented, and give your reasons for not presenting them _____

20) Have you previously filed any type of petition, application or motion in a federal court regarding the conviction under attack? Yes ☐ No ☒ If "Yes," state the location of the court, the type of proceeding, the issues raised the result and the date of the court's decision for each petition, application or motion filed _____

21) Do you have any petition, application, motion or appeal now pending in any court, either state or federal, regarding the conviction under attack? Yes ☐ No ☒ If "Yes," state the name of the court, case file number (*if known*) and the nature of the proceedings_____

22) Give the name and address, if known, of each attorney who represented you in the following stages of the judgment attached herein:

(a) At preliminary hearing: Dave Mordy, Ardmore, Oklahoma

(b) At arraignment and plea: Dave Mordy, Ardmore, Oklahoma

(c) At trial: Dave Mordy, Ardmore, Oklahoma

(d) At sentencing: Dave Mordy, Ardmore, Oklahoma

(e) On appeal: Beverley Q. Watts, Oklahoma City

(f) In any post-conviction proceeding: Beverley Q. Watts, Oklahoma City

(g) On appeal from any adverse ruling in a post-conviction proceeding: Beverley Watts, Oklahoma City

23) Were you sentenced on more than one count of an indictment or on more than one indictment, in the same court and at the same time? Yes ☐ No ☒

24) Do you have any future sentence to serve after you complete the sentence imposed by the judgment under attack? Yes ☐ No ☒

(a) If so, give name and location of court which imposed sentence to be served in the future _____

(b) And give date and length of sentence to be served in the future_____

(c) Have you filed, or do you contemplate filing, any petition attacking the judgment which imposed the sentence to be served in the future Yes ☐ No ☐

Wherefore, petitioner prays that the court grant him such relief to which he may be

entitled in this proceeding.



Beverley Q. Watts, OBA #12031
210 Park Avenue, Suite 1110
Oklahoma City, OK 73102
Phone (405) 239-2177
Fax (405) 239-2822
e-mail: wattslawoffices@coxinet.net

Signature of Petitioner, Jeremy Hill

DECLARATION UNDER PENALTY OF PERJURY

The undersigned declares (or certifies, verifies, or states) under penalty of perjury that he is the petitioner in the above action, that he has read the above pleading and that the information contained herein is true and correct. 28 U.S.C. § 1746. 18 U.S.C. § 1621.

Executed at Granite Correctional Facility, Granite, Oklahoma, on January 13, 2011.

JEREMY HILL

(a) If so, give name and location of court which imposed sentence to be served in the future _____

(b) And give date and length of sentence to be served in the future _____

(c) Have you filed, or do you contemplate filing, any petition attacking the judgment which imposed the sentence to be served in the future Yes ☐ No ☐

Wherefore, petitioner prays that the court grant him such relief to which he may be entitled in this proceeding.

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210 Park Avenue, Suite 1110
Oklahoma City, OK 73102
Phone (405) 239-2177
Fax (405) 239-2822
e-mail: wattslawoffices@coxinet.net

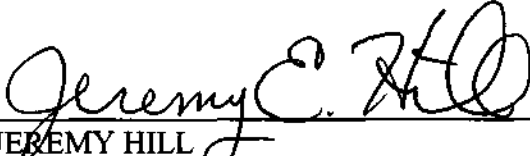


Signature of Petitioner, Jeremy Hill

DECLARATION UNDER PENALTY OF PERJURY

The undersigned declares (or certifies, verifies, or states) under penalty of perjury that he is the petitioner in the above action, that he has read the above pleading and that the information contained herein is true and correct. 28 U.S.C. § 1746. 18 U.S.C. § 1621.

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